

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

RASHAUD C. HARRELL

PETITIONER

V.

CIVIL ACTION NO. 3:18-CV-482-DPJ-FKB

WARDEN CHRISTOPHER RIVERS

RESPONDENT

ORDER

This cause is before the Court on the unopposed Report and Recommendation [18] of Magistrate Judge F. Keith Ball. Rashaud C. Harrell filed this petition pursuant to 28 U.S.C. § 2241 to challenge a finding of guilt in a prison disciplinary proceeding that resulted in the loss of good-conduct time. Specifically, prison officers at the Federal Correctional Institution in Terre Haute, Indiana, confiscated a cell phone from Harrell on April 12, 2007.

Judge Ball carefully detailed the factual history of the incident, the hearing on the charges, and the procedural requirements under the law. R&R [18] at 1–4. Judge Ball then considered each of Harrell’s arguments, concluded “that Harrell’s disciplinary proceeding comported with the requirements of due process and that the decision of the [Disciplinary Hearing Officer] was supported by some evidence,” and recommended denying relief. *Id.* at 7; *see id.* at 4–7; *see also Superintendent, Mass. Corr. Inst. v. Hill*, 472 U.S. 445, 457 (1985) (holding “due process in this context requires only that there be some evidence to support the findings made in the disciplinary hearing”). Harrell did not file an objection, and the time to do so has passed.

Accordingly, the Court finds the unopposed Report and Recommendation [18] should be adopted as the opinion of the Court. Habeas relief is denied; this action is dismissed.

A separate judgment will be entered in accordance with Federal Rule of Civil Procedure 58.

SO ORDERED AND ADJUDGED this the 29th day of May, 2020.

s/ Daniel P. Jordan III
CHIEF UNITED STATES DISTRICT JUDGE